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**STATE OF WASHINGTON
DEPARTMENT OF FINANCIAL INSTITUTIONS
SECURITIES DIVISION**

IN THE MATTER OF DETERMINING
whether there has been a violation
of the Securities Act of Washington by:

PAYDAY TODAY USA.COM, INC., and
DAVID E. L'HOIR, PRESIDENT,

Respondents.

SDO - 038 - 01

FINAL ORDER TO CEASE AND DESIST,
REVOKING EXEMPTIONS, IMPOSING FINES,
AND ORDERING AFFIRMATIVE RELIEF

Case No. 01 - 04 - 137

THE STATE OF WASHINGTON TO:

David E. L'Hoir, President
Payday Today USA.com, Inc.
1040 Bayview Drive, Suite 606
Ft. Lauderdale, Florida 33304

On May 30, 2001, Securities Administrator Deborah R. Bortner issued Summary Order to Cease and Desist SDO - 037 - 01 ("the Order"), against Payday Today USA.com, Inc. ("Payday") and David E. L'Hoir (L'Hoir"). The Order alleged that Payday and L'Hoir violated the Washington Securities Act by offering and selling unregistered securities, acting as unregistered broker-dealers and/or salespersons, and making material misrepresentations and/or omissions. The Order provided notice, pursuant to RCW 21.20.395, of the Division's intent to impose a \$50,000 fine jointly and severally against Respondents. The Order also provided notice, pursuant to RCW 21.20.390, of the Division's intent to order affirmative relief, including, without limitation, a requirement to provide full restitution to all Washington purchasers of Payday investment contracts. A copy of the Summary Order is attached and incorporated herein by reference.

The Order, together with a Notice of Opportunity to Defend and Opportunity for Hearing ("Notice") and an Application for Adjudicative Hearing ("Application"), were personally served at 11:22 a.m. on July 25, 2001 on both Payday and L'Hoir at 1040 Bayview Drive, Suite 606, Ft. Lauderdale, Florida. Affidavits of service are on file with the Division.

FINAL ORDER TO CEASE AND DESIST,
REVOKING EXEMPTIONS, IMPOSING FINES, AND
ORDERING AFFIRMATIVE RELIEF

1

DEPARTMENT OF FINANCIAL INSTITUTIONS
Securities Division
PO Box 9033
Olympia, WA 98507-9033
360-902-8760

1 The Order advised Respondents that they could each make a written request for a hearing as set forth in
2 the Notice accompanying the order. The Order further advised that if any Respondent did not request a
3 hearing, as to that Respondent, the Securities Administrator intended to adopt the Tentative Findings of
4 Fact and Conclusions of Law set forth in the Order as final, impose the fines and affirmative relief sought,
5 and permanently revoke the exemptions available under RCW 21.20.320(1), (9), (11), and (17).

6 The Notice accompanying the Order advised Respondents that the Securities Division must receive the
7 Application within 20 days of the date they were served. As both Respondents were served on July 25,
8 2001, Respondents had until close of business on August 20, 2001, in which to apply for a hearing. As of
9 the date of this Final Order, neither Respondent has filed the required Application or any other response
10 with the Securities Division, constituting a default under RCW 34.05.440. The Securities Administrator
11 therefore adopts as final the Findings of Fact and Conclusions of Law as set forth in the Summary Order.

12 **FINAL ORDER**

13
14 Based on the foregoing, NOW, THEREFORE, IT IS HEREBY ORDERED that Respondents Payday
15 Today USA.com, Inc. and David E. L'Hoir, their agents and employees, shall each immediately cease and
16 desist from offering and/or selling securities in any manner in violation of RCW 21.20.140.

17 It is further ORDERED that Respondents, their agents and employees, shall each immediately cease and
18 desist from violation of RCW 21.20.040.

19 It is further ORDERED that Respondents, their agents and employees, shall each immediately cease and
20 desist from violation of RCW 21.20.010.

21 It is further ORDERED that based upon the violations of RCW 21.20.010, the exemptions available to
22 Respondents under RCW 21.20.320(1), (9), (11), and (17) are hereby withdrawn.

23 It is further ORDERED that, pursuant to RCW 21.20.395, Respondents are jointly and severally liable
24 for, and shall pay, within 30 days of the entry of this Order, a fine in the amount of \$50,000. Such payment
25

1 shall be: (a) made by United States postal money order, certified check, bank cashier's check or bank money
2 order; (b) made payable to the Washington State Treasurer; (c) delivered by certified mail to Deborah R.
3 Bortner, Securities Administrator, Department of Financial Institutions, PO Box 9033, Olympia, Washington
4 98507-9033; and (d) submitted with a cover letter that identifies Payday Today USA.com, Inc. and David E.
5 L'Hoir as Respondents under these proceedings, and the Order and Case number of these proceedings.

6 It is further ORDERED that, pursuant to RCW 21.20.390, Respondents are jointly and severally liable
7 for, and shall pay, restitution to all Washington purchasers of Payday investment contracts.

8 **AUTHORITY AND PROCEDURE**

9 This Final Order is entered pursuant to the provisions of RCW 21.20.390 and RCW 21.20.325, and is
10 subject to the provisions of Chapter 34.05 RCW. A certified copy of this order filed in Superior Court
11 shall be treated in the same manner as a Superior Court judgment, and may be recorded, enforced, or
12 satisfied in like manner. Accordingly, if filed, Respondents will be liable for costs and interest on the
13 amount of judgment at a rate of 12% per annum, and may be liable for attorney fees.
14

15 **WILLFUL VIOLATION OF THIS ORDER IS A CRIMINAL OFFENSE.**

16
17 ENTERED this 4th day of September, 2001.

18 

19
20 Deborah R. Bortner
21 Securities Administrator

22 Approved by:

22 Presented by:

23
24 _____
25 Michael E. Stevenson
26 Chief of Enforcement

23
24 _____
25 Anthony W. Carter
26 Securities Examiner